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September 10, 2007

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Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Re: Request for Withdrawal as Attorney or Agent for U.S. Patent Application  
Serial No. 09/942,672 to Vandell, et al.  
Title: SCALP DESENSITIZING FORMULATION  
Filing Date: August 31, 2001  
Attorney Docket: 016795-0282906

Dear Commissioner:

Pursuant to 37 CFR 10.40(c)(vi), please accept this letter as our official request to withdraw from representing the above-identified patent application, as the client has failed to pay one or more bills rendered by the practitioner for an unreasonable period of time. Please note that in a letter of November 28, 2006 to Mr. Vandell, we advised him that we would require payment of a large, long outstanding balance on his account before doing any further work on his behalf. The letter requested payment by December 8, 2006, and advised him that we would withdraw from representing him if we did not receive payment by then. To date, we have still not received payment. In addition, in a letter to Mr. Vandell on February 7, 2007, we advised him that we would withdraw from representation of him and forwarded him the entire application file so that he can seek other counsel. On February 15, 2007, we submitted an Request to Withdraw as the attorney or agent of record. On February 26, 2007, we submitted a Petition to Expedite the processing of our request. On February 28, 2007, we received notification that our request was not approved because there remained less than 30 days between the date of the decision and the maximum extendable time period for filing a response.

Mr. Vandell acknowledged receipt of our files on March 14, 2007. We assisted Mr. Vandell in filing a response on March 26, 2007 such that his application would not go abandoned. However, any documentation we have sent to Mr. Vandell via the U.S. Post Office since then has been returned as "unclaimed." We contacted Mr. Vandell on August 23, 2007 by phone to discuss the outstanding final Office Action dated June 6, 2007 that we had previously forwarded him and also indicated in multiple e-mails (dated August 23, 2007; August 31, 2007; and September 5, 2007) that if we did not receive payment for the outstanding balance by September 4, 2007, we would proceed to file a Petition to Withdraw.

Dr. Victor E. Vandell  
September 10, 2007  
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As of today, we have not been contacted by or received any payment from Mr. Vandell. Thus, we sent Mr. Vandell another letter via electronic mail and United Parcel Service (UPS) noting that we are seeking withdraw from representation. Copies of any documentation since February 2007 have also been sent via UPS.

Enclosed is Form PTO/SB/83. Evidence of our correspondence history with the client, in accordance with 37 CFR 1.36(b), may be sent upon request.

Sincerely,

PILLSBURY WINTHROP SHAW PITTMAN LLP

A handwritten signature in black ink, appearing to read 'J. S. Barufka', with a long horizontal line extending to the right.

Jack S. Barufka  
on behalf of himself, Samuel P. Burkholder, and Jeffrey  
Townes

JSB:JAS